

ESTTA Tracking number: **ESTTA704725**

Filing date: **10/27/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91204095
Party	Plaintiff Lorillard Licensing Company LLC
Correspondence Address	William M. Bryner Kilpatrick Townsend & Stockton LLP 1001 West Fourth Street Winston-Salem, NC 27101 UNITED STATES wbryner@ktslaw.com, hhenderson@ktslaw.com, jburns@ktslaw.com, tmad-min@ktslaw.com
Submission	Withdrawal of Opposition
Filer's Name	William M. Bryner
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Signature	/William M. Bryner/
Date	10/27/2015
Attachments	Consented Withdrawal of Opposition & Counterclaim (MAX).pdf(73676 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

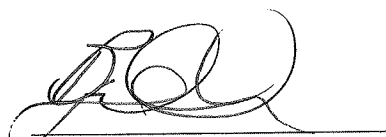
Lorillard Licensing Company LLC,)	
)	In the matter of Application
Opposer,)	Serial No. 85364718
)	
v.)	Mark: MAX
)	
)	
)	Opposition No. 91204095
The Safe Cig, LLC,)	
)	
Applicant.)	

**CONSENTED WITHDRAWAL OF NOTICE OF OPPOSITION
AND COUNTERCLAIM FOR CANCELLATION**

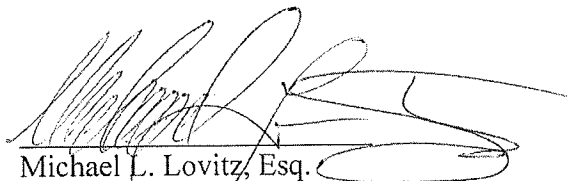
Pursuant to 37 CFR §§ 2.106(c) and 2.114(c), Opposer Lorillard Licensing Company LLC (“Opposer”) and Applicant The Safe Cig, LLC (“Applicant”), through counsel, hereby request the withdrawal, without prejudice, of Opposer’s Notice of Opposition to Serial No. 85364718, and of Applicant’s Counterclaim for Cancellation of Registration No. 3043354. As evidenced by the signatures of counsel below, Applicant has consented in writing to the withdrawal of the Notice of Opposition and Opposer has consented in writing to the withdrawal of the Counterclaim for Cancellation.

Respectfully submitted

Dated: October 27, 2015.



William M. Bryner
*Attorney for Lorillard Licensing Company
LLC*



Michael L. Lovitz, Esq.
Attorney for The Safe Cig, LLC

CERTIFICATE OF TRANSMITTAL

I hereby certify that a true copy of the foregoing **CONSENTED WITHDRAWAL OF NOTICE OF OPPOSITION AND COUNTERCLAIM FOR CANCELLATION** is being filed electronically with the TTAB via ESTTA on this day, October 27, 2015.

/William M. Bryner/
William M. Bryner
Attorney for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **CONSENTED WITHDRAWAL OF NOTICE OF OPPOSITION AND COUNTERCLAIM FOR CANCELLATION** was served on October 27, 2015, via e-mail (by consent of the parties) on counsel for Applicant as follows:

Michael L. Lovitz, Esq.
trademarks@lovitziplaw.com

/William M. Bryner/
William M. Bryner
Attorney for Opposer